

STATE OF SOUTH CAROLINA

(Caption of Case)

IN RE:

Happy Rabbit, LP on Behalf of,

Windridge Townhomes, Complainant,

v.

Alpine Utilities, Inc., Respondent

BEFORE THE
PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA

COVER SHEET

DOCKET

NUMBER: 2008 - 360 - S

(Please type or print)

Submitted by: Richard L. WhittSC Bar Number: 62895Address: Austin & Rogers, P.A.Telephone: 803-251-7442508 Hampton Street, Suite 300Fax: 803-252-3679Columbia, South Carolina 29201Other: 803-256-4000Email: rlwhitt@alrlaw.com

NOTE: The cover sheet and information contained herein neither replaces nor supplements the filing and service of pleadings or other papers as required by law. This form is required for use by the Public Service Commission of South Carolina for the purpose of docketing and must be filled out completely.

DOCKETING INFORMATION (Check all that apply)

☐ Emergency Relief demanded in petition ☐ Request for item to be placed on Commission's Agenda expeditiously

Other: Routine

INDUSTRY (Check one)	NATURE OF ACTION (Check all that apply)			
<input type="checkbox"/> Electric	<input type="checkbox"/> Affidavit of Publication	<input type="checkbox"/> Letter	<input type="checkbox"/> Request	
<input type="checkbox"/> Electric/Gas	<input type="checkbox"/> Agreement	<input type="checkbox"/> Memorandum	<input type="checkbox"/> Request for Certifica	
<input type="checkbox"/> Electric/Telecommunications	<input type="checkbox"/> Answer	<input type="checkbox"/> Motion	<input type="checkbox"/> Request for Investigat	
<input type="checkbox"/> Electric/Water	<input type="checkbox"/> Appellate Review	<input type="checkbox"/> Objection	<input type="checkbox"/> Resale Agreement	
<input type="checkbox"/> Electric/Water/Telecom.	<input type="checkbox"/> Application	<input type="checkbox"/> Petition	<input type="checkbox"/> Resale Amendment	
<input type="checkbox"/> Electric/Water/Sewer	<input type="checkbox"/> Brief	<input type="checkbox"/> Petition for Reconsideration	<input type="checkbox"/> Reservation Letter	
<input type="checkbox"/> Gas	<input type="checkbox"/> Certification of Mailing	<input type="checkbox"/> Petition for Rulemaking	<input type="checkbox"/> Response	
<input type="checkbox"/> Railroad	<input type="checkbox"/> Comments	<input type="checkbox"/> Petition for Rule to Show Cause	<input type="checkbox"/> Response to Discove	
<input checked="" type="checkbox"/> Sewer	<input type="checkbox"/> Complaint	<input type="checkbox"/> Petition to Intervene	<input type="checkbox"/> Return to Petition	
<input type="checkbox"/> Telecommunications	<input type="checkbox"/> Consent Order	<input type="checkbox"/> Petition to Intervene Out of Time	<input type="checkbox"/> Stipulation	
<input type="checkbox"/> Transportation	<input checked="" type="checkbox"/> Discovery	<input type="checkbox"/> Return	<input type="checkbox"/> Subpoena	
<input type="checkbox"/> Water	<input type="checkbox"/> Exhibit	<input type="checkbox"/> Promotion	<input type="checkbox"/> Tariff	
<input type="checkbox"/> Water/Sewer	<input type="checkbox"/> Expedited Consideration	<input type="checkbox"/> Proposed Order	<input type="checkbox"/> Other:	
<input type="checkbox"/> Administrative Matter	<input type="checkbox"/> Interconnection Agreement	<input type="checkbox"/> Protest		
<input type="checkbox"/> Other:	<input type="checkbox"/> Interconnection Amendment	<input type="checkbox"/> Publisher's Affidavit		
	<input type="checkbox"/> Late-Filed Exhibit	<input type="checkbox"/> Report		

BEFORE
THE PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA
DOCKET NO. 2008-360-S

IN RE:)
Happy Rabbit, LP on Behalf of,)
Windridge Townhomes,)
)
Complainant,)
v.)
)
Alpine Utilities, Inc.,)
Respondent)
_____)

COMPLAINANT'S
FIRST SET OF
REQUESTS FOR ADMISSIONS

TO: Respondent Alpine Utilities, Inc., (hereinafter, "Respondent Alpine" or "Respondent") and its attorney of record, Benjamin P. Mustian.

The above-named Complainant, pursuant to 26 S.C Code Ann. Regs. R. 103-835 (Supp. 2008) and Rule 36, of the South Carolina Rules of Civil Procedure, hereby serves Respondent with Complainant's First Set of Requests for Admissions to be answered separately within thirty (30) days from the date of service hereof, and requests that the documents identified in such written responses be produced for inspection and copying to the undersigned within the same time period.

DEFINITIONS

As used herein, the following terms shall have the meaning and be interpreted as set forth below:

1. "Respondent" shall refer to Respondent Alpine and shall includes its business divisions and operating divisions, assigns, representative, partners, agents, consultants, experts, and attorneys, if any.
2. Any reference to Complainant includes previous owner, Carolyn D. Cook.
3. "Windridge Townhomes" shall refer to the duplexes, neighborhood, subdivision or other development located in the 3300 Block of Kay Street, Columbia, Richland County, South Carolina.

4. The conjunctions "and" and "or" shall be interpreted in each and every instance as meaning "and/or" and shall in neither instance be interpreted disjunctively to exclude any document or information otherwise within the scope of any description or request made herein.

5. All references to the singular contained herein shall be deemed to include the appropriate plural number and all references to the plural shall be deemed to include the singular. All references to the masculine gender contained herein shall be deemed to include the appropriate feminine and neuter genders.

REQUESTS FOR ADMISSIONS

1. Admit that Alpine provides sewer services to "Windridge Townhomes".
2. Admit that the tenants residing in the duplexes of "Windridge Townhomes" are not utility customers of Alpine.
3. Admit that Complainant offered to facilitate Alpine's establishment of a utility/customer relationship with the tenants residing in the duplexes of "Windridge Townhomes".
4. Admit that Respondent Alpine ignored or refused to accept, Complainant's offer to facilitate Alpine's establishment of a utility/customer relationship with the tenants residing in the duplexes of "Windridge Townhomes".
5. Admit that Respondent Alpine required Complainant to, maintain and make payment for, utility services for all tenants residing in the duplexes of "Windridge Townhomes".
6. Admit that a General Partner of Complainant contacted Respondent to make Respondent aware of the requirements of § 27-33-50 of the South Carolina Code Ann. (1976, as amended).
7. Admit that a General Partner of Complainant also contacted Attorney John Hoefer by telephone and discussed the requirements of § 27-33-50 of the South Carolina Code Ann. (1976, as amended) and that Attorney Hoefer promised to discuss the matter with representatives of Respondent and Attorney Hoefer or a representative of Respondent would report back to the General Partner of Complainant.
8. Admit that, after the contact described in Request to Admit number seven, hereinabove, neither Attorney John Hoefer, nor a representative of Respondent, contacted Complainant.

9. Admit that Respondent Alpine, despite being made aware of the requirements of § 27-33-50 of the South Carolina Code Ann. (1976, as amended) by way of a telephone conversation of the General Partner of Complainant with attorney John Hoefer, Respondent continues to require Complainant to, maintain and make payment for, utility services for all tenants residing in the duplexes of "Windridge Townhomes".

AUSTIN & ROGERS, PA

_____/s/_____
Richard L. Whitt
508 Hampton Street, Suite 300
Columbia, South Carolina 29201
(803) 251-7442
Attorney for Complainant

Columbia, South Carolina

RLW/jjy

February 5, 2009

**BEFORE
THE PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA
DOCKET NO. 2008-360-S**

IN RE:

Happy Rabbit, LP on Behalf of,
Windridge Townhomes,

Complainant,

v.

Alpine Utilities, Inc.,

Respondent

CERTIFICATE OF SERVICE

I, Jessica Yun, an employee of Austin & Rogers, P.A., certify that I mailed a copy of Happy Rabbit's First Set of Requests for Admissions, in the above referenced matter, by U.S. Mail as addressed below, with proper postage affixed thereto or e-mail, as indicated below, on February 5, 2009.

Attorney Benjamin P. Mustian
930 Richland Street
Columbia S.C., 29201
Via U.S. Mail

Nanette S. Edwards, Esquire
Via e-mail

Austin & Rogers, P.A.

/S/
Jessica Yun

Columbia, South Carolina
February 5, 2009